

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 4263-01
BILL NO.: HB 1836
SUBJECT: County Officials; Prosecuting Attorney
TYPE: Original
DATE: February 23, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	(\$145,000 to Unknown)	(\$145,000 to Unknown)	(\$145,000 to Unknown)
Total Estimated Net Effect on <u>All</u> State Funds	(\$145,000 to Unknown)	(\$145,000 to Unknown)	(\$145,000 to Unknown)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$145,000 to Unknown	\$145,000 to Unknown	\$145,000 to Unknown

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator, Office of the Attorney General, and Office of Administration** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of Prosecution Services** indicated there are currently 22 counties that have full-time prosecuting attorneys. As a result of the enactment of SB 275 of the 1999 legislative session, 8 counties have elected to make the office of prosecuting attorney a full-time position. OPS could not estimate the fiscal impact of the proposed legislation as the number of counties that could elect to have a full-time prosecuting attorney cannot be predicted.

Oversight assumes the amount of additional compensation to be paid by the state based on inmate population of the counties with a part-time prosecutor would be \$145,000 per year. This amount is based on information obtained from the Department of Corrections in their response to a similar proposal. Eleven counties that have part-time prosecutors have inmate populations of more than 750 persons. Oversight assumes the additional compensation will be paid out of the General Revenue Fund.

Oversight assumes the one-half of the difference between the salary the prosecutor would make as a part-time prosecutor and the salary the prosecutor makes as a full-time prosecutor would be paid out of the General Revenue Fund. The fiscal impact from this provision is unknown.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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GENERAL REVENUE FUND

<u>Cost</u> - Prosecuting Attorney salaries	(\$145,000 to Unknown)	(\$145,000 to Unknown)	(\$145,000 to Unknown)
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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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Counties

<u>Cost Savings</u> - Prosecuting Attorney salaries - portion paid by the State	\$145,000 to Unknown	\$145,000 to Unknown	\$145,000 to Unknown
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

Current law requires additional compensation to be paid to certain prosecuting attorneys who have correctional facilities in the counties where they are elected. The proposed legislation requires any additional compensation paid to prosecutors to be paid by the state. The proposal also requires the state to pay half of the difference between the salary a prosecutor would make as a part-time prosecutor and the salary the prosecutor makes as a full-time prosecutor when the county elects to position to be full-time.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator
Office of the Attorney General
Office of Administration
Office of Prosecution Services
Department of Corrections



Jeanne Jarrett, CPA
Director
February 23, 2000